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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,171	12/04/2001	Jeremy Burr	5038-138	2907
32231	7590	05/25/2006		
MARGER JOHNSON & MCCOLLOM, P.C. 210 SW MORRISON STREET, SUITE 400 PORTLAND, OR 97204			EXAMINER TRAN, HENRY N	
			ART UNIT 2629	PAPER NUMBER

DATE MAILED: 05/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/006,171	BURR ET AL.
	Examiner	Art Unit
	Henry N. Tran	2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 20 March 2006.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-3 and 7-30 is/are rejected.
- 7) Claim(s) 4-6 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 04 December 2001 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

**DETAILED ACTION**

1. In view of the Appeal Brief filed on 3/20/06, PROSECUTION IS HEREBY REOPENED. New grounds of rejection are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

Bipin Shalwala, SPE:

  
BIPIN SHALWALA  
SUPERVISORY PATENT EXAMINER  
POV CENTERED 2600

*Specification*

2. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o).

The following claimed terms are not found in the specification: “a base unit”, “a source loop solenoid”, “a loop power circuit”, and “a power source coupler” (claim 1), “a first area” and “a second area” (claims 4 and 5), “a power signal input”, “a power source”, and “a non-planar

magnetic source loop" (claim 14), "a mouse positional circuit" (claim 16), "a source loop signal generator" and "the magnetic source loop" (claim 18), "an oscillator circuit" (claim 19), "the magnetic source loop" and "the magnetic victim loop" (claim 22).

Corrections of the above claimed terms are required in response to this Office action.

***Drawings***

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the: "an antenna" (claim 6), "a mouse positional circuit" (claim 16), "a source loop signal generator" (claims 18 and 19), "an oscillator circuit" (claim 19), "the magnetic source loop and the magnetic victim loop are horizontally overlapped" (claim 22), and "a pulse width modulation circuit" (claim 29) must be shown or the features canceled from the claims. No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will

be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 7-18, 22-24, 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsiang (DE 29922632 U1) in view of Rohde (U.S. Patent No. 5,959,433).

Re claim 1, Hsiang, Figs. 1-3, teaches a system for inductively transferring electrical power to a computer peripheral device (mouse 200) during normal operation of the peripheral device, comprising: a base unit (10) including: a source loop (15) having an axis substantially perpendicular to a planar surface of the base unit to generate a magnetic field, a loop power circuit (31) to provide a signal to drive the source loop, and a power source coupler (50 and 51) structured to provide power to the loop power circuit when the power source coupler is coupled to a power source; and the peripheral device (200) having a victim loop (201) and structured to be inductively coupled to the base unit while the peripheral device is in operable condition.

However, Hsiang does not teach expressly that the source loop (15) is a source loop solenoid having an axis substantially perpendicular to a planar surface of the base unit.

Rohde teaches a system for inductively transferring electrical power to a battery device comprising: a base unit (14) having a source loop solenoid (44) having an axis substantially perpendicular to a planar surface of the base unit for generating magnetic flux lines for inducing

electrical current into the victim loop (16) for charging the battery (22) arranged in the battery charger (14); see col. 2, lines 10-16, lines 38-45; and col. 3, lines 3-12.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the source loop solenoid as taught by Rohde in the Hsiang device because this would provide an improved mouse charger system which is sufficiently, effectively and quickly to acquire electrical power; see Rohde, col. 4, lines 16-19. By this rationale, claim 1 is rejected.

Re claim 2, Hsiang further teaches that the peripheral device is a computer mouse (200); see Fig. 1.

Re claim 3, Hsiang further teaches that the base unit is incorporated in a mousepad (10); see Fig. 1.

Re claim 7, Hsiang further teaches that the victim loop (16) is a coil of wire having a solenoid shape; see Fig. 1.

Re claim 8, Hsiang teaches that the base unit (10) comprises more additional source loops; see Fig. 1.

Re claim 9, Hsiang further teaches that the peripheral device (200) further includes a rechargeable battery (203), and a recharging circuit (202) coupled between the victim loop (201) and the rechargeable battery (203); see Fig. 3.

Re claim 10, Hsiang further teaches the system further comprising: a data transmitter (205, 206) coupled to the peripheral mouse device (200), and a data receiver (20, 32) coupled to the base unit (10); see Fig. 3.

Re claims 11-13, Hsiang further teaches that the data transmitter (205, 206) is structured to send wireless signals that are infra-red signals; and the data receiver (20, 32) is structured to

receive wireless signals that are infra-red signals and the peripheral mouse device is additionally in operative condition when not inductively coupled to the base device; see Fig. 3.

Re claims 14-18 and 22, which comprise similar claimed elements and limitations of claims 1-3, rephrased to recite: a base unit having a power signal input connectable to a power source, and having a non-planar magnetic source loop coupled to the power signal input, a magnetic victim loop coupled to a load circuit within the mouse; the load circuit is coupled to the rechargeable battery, wherein the load circuit is a wireless data transmitter; and wherein, during a normal operating position of the computer mouse, the magnetic source loop and the magnetic victim loop are horizontally overlapped.

Hsiang further teaches: a base unit (10) having power signal input (51) which is coupled to a serial bus (50) for supplying power from the serial bus to a source loop generator (31) which is coupled to the magnetic source loop (15), a magnetic victim loop (201) coupled to a mouse positional circuit, which is a load circuit (204) within the mouse; the load circuit (205) is coupled to the rechargeable battery (203), wherein the load circuit (205) is a wireless data transmitter; and wherein, during a normal operating position of the computer mouse (200), the magnetic source loop (15) and the magnetic victim loop (201) are horizontally overlapped; see Figs. 1 and 3. Claims 14-18 and 22 are therefore rejected based on the same reasons set forth in claims 1-3, and by the reasons discussed above.

Re claims 23, 24, 27 and 28, which are method claims corresponding to the apparatus claims 1 and 14, and are therefore rejected on the same basis set forth for claims 1 and 14 discussed above.

6. Claims 19-21, 25, 26, 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsiang (DE 29922632 U1) in view of Rohde (U.S. Patent No. 5,959,433), hereinafter referred to as "Hsiang-Rohde", as applied to claims 1-3, 7-18, 22-24, 27 and 28 above, and further in view of Tien (GB 2314470 A).

Hsiang-Rohde teaches generally all as discussed above; and Hsiang further teaches that the base unit (10) which is coupled to an external computer (60) by a serial bus (40); see Fig. 3. However, Hsiang-Rohde does not teach: the source loop signal generator comprises an oscillator circuit; a docking cradle shaped to receive the computer mouse, wherein the docking cradle having a battery recharging circuit; a pulse width modulation circuit; and a power signal is coupled to a computer bus. Tien teaches a system for supplying power to a computer mouse (30), comprising: a DC power source (11); an oscillator circuit (12); a docking cradle (40) shaped to receive the computer mouse (30); wherein the docking cradle having a battery recharging circuit; a pulse width modulation circuit (13). Tien further teaches that the DC power source 11 may be replaced by a circuit which converts an external DC input into the desired DC voltage output; see page 4, line 23 to page 7, line 14.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teachings of Tien by utilizing: a docking cradle (40); the DC power available on the Hsiang computer bus (40) as a power signal; the oscillator circuit (12) and the pulse width modulation circuit (13) for rectifying the power signal for driving the Hsiang-Rohde source loop solenoid because this would provide an improved rechargeable power supply computer mouse system capable of utilizing the DC power source that is readily available component on the computer bus for conveniently and effectively charging electric power into the mouse battery.

Claims 19-21, 25, 26, 29 and 30 are dependent upon the claims 14, 15, 18, 23, 27, and 28, and are therefore rejected on the same reasons set forth in claims 14, 15, 18, 23, 27, and 28, and by the reasons discussed above.

***Allowable Subject Matter***

7. Claims 4-6 are objected to as being dependent upon a rejected base claim 1, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

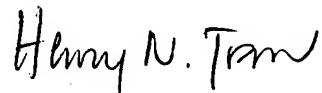
8. Applicant's arguments with respect to claims 1-30 have been considered but are moot in view of the new grounds of rejection discussed above.

***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Henry N. Tran whose telephone number is 571-272-7760. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BIPIN H. SHALWALA can be reached on 571-272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Henry N Tran  
Primary Examiner  
Art Unit 2629

HT   
5/24/06